

1 HONORABLE RONALD B. LEIGHTON  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 CHARLES VERDEL FARNSWORTH,

11 Plaintiff,

12 v.

13 PIERCE COUNTY JAIL, et al.,

14 Defendants.

15 Case No. C04-5780RBL

16 ORDER

17 THIS MATTER comes on before the above-entitled Court upon plaintiff's letter/motion to remove the  
18 assessment to his prison trust account of the filing fee for this case [Dkt. #75].

19 Having considered the entirety of the records and file herein, the Court rules as follows:

20 Plaintiff was initially granted permission to proceed *in forma pauperis* [Dkt. #3]. This IFP status was  
21 revoked on August 9, 2005 [Dkt. #61] due to plaintiff's previous filings of frivolous lawsuits. Plaintiff did not  
22 pay the filing fee and filed a Notice of Appeal of that decision revoking his IFP status on August 16, 2005  
23 [Dkt. #62]. On November 15, 2005 the United States Court of Appeals for the Ninth Circuit entered an Order  
24 granting plaintiff's motion to voluntarily dismiss his appeal [Dkt. #69]. Because plaintiff's IFP status was  
25 revoked and this case was dismissed for failure to pay the filing fee [see Dkt. #71], the plaintiff's prison trust  
26 account should not be debited for the filing fee in No. 04-5780RBL. This Order does not affect any other  
27 cases in which plaintiff may be responsible for paying the filing fee. It is therefore

28 **ORDERED** that plaintiff's letter/motion as to No. 04-5780RBL is **GRANTED**.

The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing pro se.

Dated this 22nd day of November, 2006.

Ronald B. Leighton  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE